



Docket No.: HO-P02873US0
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Stewart Townsend et al.

Application No.: 10/789,538

Confirmation No.: 9452

Filed: February 27, 2004

Art Unit: 1761

For: **NUTRITIONALLY COMPLETE PET FOOD
AND METHOD OF FEEDING AND
MANUFACTURING SAME**

Examiner: Not Yet Assigned

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

A copy of each foreign reference on the PTO/SB/08 is attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. HO-P02873US0. A duplicate copy of this paper is enclosed.

Dated: June 29, 2005

Respectfully submitted,

By 

Jan K. Simpson

Registration No.: 33,283

FULBRIGHT & JAWORSKI L.L.P.

Fulbright Tower

1301 McKinney, Suite 5100

Houston, Texas 77010-3095

(713) 651-5151

(713) 651-5246 (Fax)

Attorney for Applicant

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO <h2 style="text-align: center;">SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2>				Complete if Known	
				Application Number	10/789,538
				Filing Date	February 27, 2005
				First Named Inventor	Stewart Townsend
				Art Unit	1761
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	HO-P02873US0
Sheet	1	of	2		

[illegible]

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant

¹ Applicant's unique citation designation number (optional). ² See attached Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English Language Translation is attached.

PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AA	Purina Tux; Tux Energy Beef & Liver Flavour (Ltd. Ed.); www.nestle.co.nz/tux ; 02/01/2003; 1 pp.	
	AB	Purina Tux; Tux Adult; www.nestle.co.nz/tux ; 02/01/2003; 2 pp.	
	AC	Purina Tux; Tux Country; www.nestle.co.nz/tux ; 02/01/2003; 1 pp.	

25550807v1

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner		Date Considered	
----------	--	-----------------	--



Docket No.: HO-P02873US0
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Stewart Townsend et al.

Application No.: 10/789,538

Confirmation No.: 9452

Filed: February 27, 2004

Art Unit: 1761

For: NUTRITIONALLY COMPLETE PET FOOD
AND METHOD OF FEEDING AND
MANUFACTURING SAME

Examiner: Not Yet Assigned

REPLACEMENT INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Replacement Information Disclosure Statement is being filed in order to list dates for the Non Patent Literature Documents in the PTO/SB/08A form submitted January 29, 2005.

No copies of the documents are being submitted as copies were filed with the original January 29, 2005 IDS.

In accordance with 37 CFR 1.97(g), the filing of this Replacement Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Replacement Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Replacement Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Application No.: 11/051,743

Docket No.: HO-P02873US0

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. HO-P02873US0. A duplicate copy of this paper is enclosed.

Dated: June 29, 2005

Respectfully submitted,

By 

Jan K. Simpson

Registration No.: 33,283

FULBRIGHT & JAWORSKI L.L.P.

Fulbright Tower

1301 McKinney, Suite 5100

Houston, Texas 77010-3095

(713) 651-5151

(713) 651-5246 (Fax)

Attorney for Applicant



PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U. S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO				Complete if Known	
REPLACEMENT INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/789,538
				Filing Date	February 27, 2004
				First Named Inventor	Stewart Townsend
				Art Unit	1761
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	HO-P02873US0

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA*	US-2004/0219260	11-04-2004	Anderson et al	
	AB	US-2003/0021872	01-30-2003	Cupp et al.	
	AC	US-2002/0150650	10-17-2002	Cupp et al.	
	AD	US-2002/0090444	07-11-2002	Cupp et al.	
	AE	US-5,431,927	07-11-1995	Hand et al.	
	AF	US-4,260,635	04-07-1981	Fisher	
	AG	US-4,032,665	06-28-1977	Miller et al.	
	AH	US-4,900,572	02-13-1990	Repholz et al.	
	AI	US-3,916,029	10-28-1975	Hildebolt	
	AJ	US-4,777,058	10-11-1988	Chandler et al.	
	AK	US-6,117,477	09-12-2000	Paluch	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BA	GB-2 194 125	03-02-1988	Forebel		
	BB	EP-0 558 774	01-22-1997	Geromini et al.		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant

¹ Applicant's unique citation designation number (optional). ² See attached Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	Purina Busy Bone; Beef Flavor Dog Treat for Small/Medium Dogs; www.purina.com/BusyBone/small.com website; January 25, 2005	
	CB	Purina Busy Bone; Beef Flavor Dog Treat for Large Dogs; www.purina.com/BusyBone/Large.asp ; January 25, 2005	
	CC	Think Treats; New Chew lotta; www.meatybone.com/pages/dogtreats/meatybone/chewlotta.asp website; January 25, 2005	
	CD	Hill's - The Global Leader in Pet Nutrition; Canine t/d® Small Bites; For the Nutritional Management of Dogs with Dental Disease; www.hillspet.com website; January 14, 2005	
	CE	Hill's - The Global Leader in Pet Nutrition; Canine t/d®; For the Nutritional Management of Dogs with Dental Disease; www.hillspet.com website; January 14, 2005	
	CF	Purina - Dogwiches™ brand Dog Snack; www.purina.com/dogwiches/mini.asp website; January 25, 2005	
	CG	Pedigree; Pedigree Jumbone for Large Dogs; Snacks & Treats Nutrition for Adult Dogs; www.pedigree.com website; January 25, 2005	
	CH	Pedigree; Pedigree Dentabone (Large); Snacks & Treats Nutrition for Adult Dogs; www.pedigree.com website; January 25, 2005	
	CI	Milk-Bone; Treats made for the doge in your life; www.milkbone.com website; January 25, 2005	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO REPLACEMENT INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Complete if Known	
				Application Number	10/789,538
				Filing Date	February 27, 2004
				First Named Inventor	Stewart Townsend
				Art Unit	1761
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	HO-P02873US0

	CJ	Pet Pride Dog Gone Deli; Sausage Style Snacks outside packaging advertisement, Jan. 1, 2004	
	CK	Purina - Butcher's Burger outside packaging advertisement, Jan. 1, 2004	
	CK	Pet Pride; Dental Chew Bone outside packaging advertisement, Jan. 1, 2004	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/789,538-Conf. #9452
	Filing Date	February 27, 2004
	First Named Inventor	Stewart Townsend
	Art Unit	1761
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	Attorney Docket Number	HO-P02873US0

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Replacement Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Supplemental IDS Cited References Return Receipt Postcard Certificate of Express Mailing
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	FULBRIGHT & JAWORSKI L.L.P.		
Signature			
Printed name	Jan K. Simpson		
Date	June 29, 2005	Reg. No.	33,283



Application No. (if known): 10/789,538

Attorney Docket No.: HO-P02873US0

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV671533769US in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on June 29, 2005
Date

Susan Hunter
Signature

Susan Hunter

Typed or printed name of person signing Certificate

Registration Number, if applicable

(713) 651-5460
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal (1 page)
Replacement Information Disclosure Statement (2 pages)
Replacement IDS (Citation) by Applicant (2 pages)
Cited References
Supplemental Information Disclosure Statement (2 pages)
Supplemental IDS (Citation) by Applicant (1 page)
Return Postcard